

Message Text

SECRET

PAGE 01 STATE 137607
ORIGIN EB-08

INFO OCT-01 EA-10 ISO-00 L-03 JUSE-00 COME-00 TRSE-00
OMB-01 STR-07 SS-15 SP-02 NSC-05 CIAE-00 INR-10
NSAE-00 CTME-00 H-01 INT-05 /068 R

DRAFTED BY EB/IFD/BP:T A SCHLENKER:BT
APPROVED BY EB/IFD/BP:HARVEY J. WINTER
L/EB:C ROH
EA/ANP:T WAJDA
JUSTICE:D ROSENTHAL
EB/ORF/BP:M DE WITT
EB/IFD:C F MEISSNER

-----032036 010720Z /17

R 311943Z MAY 78
FM SECSTATE WASHDC
TO AMEMBASSY CANBERRA

S E C R E T STATE 137607

E.O. 11652: GDS

TAGS: EINV, EMIN, AS

SUBJECT: AUSTRALIAN CONCERN ABOUT U.S. ANTITRUST ACTIONS

REF: CANBERRA 3941

1. RE PARA 1, REFTEL, DEPARTMENT APPRECIATES DIFFICULTIES POSED FOR ANACONDA AUSTRALIA, INC. BY AUSTRALIAN GOVERNMENT PRESSURE. DEPARTMENT, HOWEVER, IS NOT IN A POSITION TO OFFER ADVICE ON U.S. ANTITRUST LAW CONSEQUENCES OF ALTERNATIVES AVAILABLE TO COMPANY. WE ASSUME ANACONDA HAS AVAILABLE PRIVATE U.S. ANTITRUST COUNSEL. COMPANY MIGHT ALSO WISH TO CONSIDER SEEKING A BUSINESS REVIEW LETTER FROM ANTITRUST DIVISION, U.S. DEPARTMENT OF JUSTICE. ANACONDA'S U.S. COUNSEL WOULD PRESUMABLY

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BE AWARE OF BUSINESS REVIEW LETTER PROCEDURE, WHICH CAN BE VERY HELPFUL.

2. RE PARA 2, REFTEL, EMBASSY SHOULD BE AWARE THAT GOA HAS INFORMED ATTORNEY GENERAL BELL BY LETTER DATED MAY 19 THAT IT WOULD BE AGREEABLE TO HOLDING CONSULTATIONS WITH THE US "PRIMARILY CONCERNED TO ESTABLISH PRINCIPLES IN

ACCORDANCE WITH WHICH THE DEPARTMENT OF JUSTICE, FOLLOWING THE MOST WELCOME STATEMENTS MADE BY ASSOCIATE ATTORNEY GENERAL EGAN IN HIS SPEECH TO THE INTERNATIONAL BAR

ASSOCIATION IN NOVEMBER, WILL SEEK ACCOMMODATION AND COMPROMISE WHEN UNITED STATES ANTITRUST ENFORCEMENT CONFLICT WITH FOREIGN LAWS AND IMPORTANT FOREIGN POLICIES. WE (GOA) WOULD NOT WISH THE CONSULTATIONS TO RELATE TO ANY PARTICULAR MATTERS OF DISPUTE BETWEEN THE UNITED STATES AND AUSTRALIA. WE (GOA) WOULD BE AGREEABLE TO A MEETING IN WASHINGTON AT A MUTUALLY CONVENIENT TIME." NO US RESPONSE HAS YET BEEN MADE TO THE AUSTRALIAN LETTER BUT GOA MAY WISH TO TAKE UP SUCH MATTERS AS THOSE PRESENTED BY THE AUSTRALIAN URANIUM MARKETING AUTHORITY AT ANY CONSULTATIONS ON ANTITRUST.

3. TEXT OF LETTER AND EGAN SPEECH BEING POUCHED. VANCE

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NNN

Message Attributes

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Draft Date: 31 may 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
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Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE137607
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Document Unique ID: 00
Drafter: T A SCHLENKER:BT
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Review Release Event: n/a
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